

Taking your case to an employment tribunal

If you haven't been able to solve your problem through raising a grievance, you may have to make a claim to an **employment tribunal**. Employment tribunals resolve disputes between employers and employees over employment rights, including discrimination at work. You'll need to prove your case - that's why you need to collect the information and evidence suggested earlier.

First ACAS (Advisory Conciliation and Arbitration Service) will see whether it's possible for you and your employer to agree to settle your case. If not, it will go to a tribunal hearing. The tribunal is a panel of up to three people who will consider all the arguments, make a **legally-binding decision** and award **remedies**, for example **compensation**.

If you're considering making a claim to an employment tribunal, get advice straight away. There are strict time limits for taking a discrimination case to an employment tribunal, so don't delay.

Other legal action you can take against racial harassment

If you are being racially harassed, there may be legal action you can take besides going to an employment tribunal. You will need to get advice about this.

Extract of factsheet available at
http://www.adviceguide.org.uk/england/work_e/work_factsheets.htm

What happens if I am victimized for complaining about discrimination at work?

If you complain about discrimination or harassment at work because of your race or ethnic background, you have some protection in law. For example, your employer can't victimize you because you have:

- encouraged a colleague to complain about unfair treatment or bullying
- given evidence in a colleague's case
- complained about unfair treatment or harassment against you.

Examples of victimization could include:

- being labelled a trouble-maker
- being denied promotion or training opportunities
- being ignored by your work colleagues.

If your employer victimizes you because you've been involved in a complaint about unfair treatment or bullying at your workplace, you can make a claim for **unlawful victimisation** to an **employment tribunal**. You should raise a **written grievance** with your employer before you do this. If you're thinking about making a claim to an employment tribunal, talk to an experienced adviser straight away.

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Other types of discrimination

As well as race discrimination, you could be treated unfairly for other reasons, such as because you're a woman or you're disabled. For example, you're a black woman and you're sacked because you're pregnant. You may have a claim for sex discrimination as well as race discrimination. If you think you've been treated unfairly because you're black and because you're a woman, make sure you raise both issues if you make a complaint.

Further help

Citizens Advice Bureaux give free, confidential, impartial and independent advice to help you solve problems. To find your nearest CAB, including those that give advice by e-mail, click on nearest CAB. You can also look under C in the phone book.

ACAS operates a helpline providing information and advice about employment issues: 0845 747 4747 (textphone 0845 606 1600).

Equality Advisory Support Service (EASS)

If you have experienced discrimination, you can get help from the EASS discrimination helpline. The helpline number is 0808 800 0082.

Is that discrimination?

Is that discrimination? is a website produced by Advicenow. It has information on how to tackle discrimination in the workplace. It also features a problem page and case studies about discrimination. Go to www.isthatdiscrimination.org.uk .

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